



Book	Policy Manual
Section	0000 Bylaws
Title	PUBLIC PARTICIPATION AT BOARD MEETINGS
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#### 0169.1 - **PUBLIC PARTICIPATION AT BOARD MEETINGS**

The School Board recognizes the value to school governance of public comment on educational issues and the importance of allowing members of the public to express themselves on school matters of community interest.

Members of the public shall be given a reasonable opportunity to be heard on a proposition before the Board. For purposes of the policy, a proposition is an item before the Board for a vote, and includes, but is not necessarily limited to, all items on the agenda noted as unfinished business, consent, and nonconsent. A proposition may also include a vote on a motion to rescind or to amend action previously taken, but does not generally include items on the special agenda. A proposition does not include items wherever found on the agenda upon which the Board votes in its quasi-judicial capacity.

The opportunity to be heard need not occur at the same meeting at which the Board takes official action on the proposition if the opportunity occurs at a meeting that is during the decision-making process and is within reasonable proximity in time before the meeting at which the Board takes the official action. This policy does not prohibit the Board from maintaining orderly conduct or proper decorum in a public meeting.

No Board action shall be taken on requests made during public discussion unless the Board declares the matter to be an emergency in accordance with current law. Any other requests that the Board chooses to take action on shall be placed on an agenda for a subsequent meeting.

The requirement for public comment on action items does not apply to:

- A. an official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety in compliance with the requirements would cause an unreasonable delay in the ability of the Board to act;
- B. an official act involving no more than a ministerial act, including, but not limited to, approval of minutes, board reorganization and ceremonial proclamations;
- C. a meeting that is exempt from F.S. 286.011 (the Public Meetings Law); or
- D. a meeting at which the Board is sitting in its quasi-judicial capacity.

These exceptions do not affect the right of a person to be heard as otherwise required by law or Board policy.

The opportunity to be heard is subject to policies adopted by the Board as follows:

- A. Procedures for an individual to use in order to inform the Board of a desire to be heard:
  - 1. Attendees must register their intention to participate in the public portion of the meeting upon their arrival at the meeting by completing the public comment card at the entry of the meeting hall indicating his/her support, opposition, or neutrality on a proposition; and indicating his/her designation of a representative to speak for him/her or his/her group on a proposition if s/he so chooses.
  - 2. All statements shall be directed to the presiding officer; no person may address or question Board members individually. Staff members shall not be expected to answer questions from the audience unless called upon by the

Board Chairman (through the Superintendent) or the Superintendent.

3. Tape or video recordings are permitted under the following conditions:

- a. No obstructions are created between the Board and the audience.
- b. No interviews are conducted in the meeting room while the Board is in session.
- c. No commentary, adjustment of equipment, or positioning of operators is made that would distract either the Board or members of the audience while the Board is in session.

B. Action and Special Meeting Public Comment Opportunities

1. Comments on the Agenda: During the action and special meetings, individuals will have the opportunity to address any matter on the agenda. Public comment shall occur at the designated time on the agenda.
2. General Comments Regarding the School District: Individuals will have an opportunity to address the School Board on any other matter relevant to the operation of the School District.

C. Comment on Board Member Motion

1. If a motion is made by a Board member and seconded to take action not in response to a recommendation, of the Superintendent, or Board Attorney as noted on the agenda, an opportunity will be provided for individuals to comment on the subject of the motion after the Board's discussion on the motion and before the vote is taken. This opportunity will not be required if the matter addressed in the motion will be placed on a subsequent agenda before final action is taken.
2. Opportunities will not be extended for individuals to comment on administrative or ministerial motions such as adjourning meetings or extending public comment.

D. Briefing Meeting Public Comment Opportunities

Any individual who desires to address the School Board during a briefing meeting may do so at the designated time for public comment. Speakers must complete a Public Comment card on which is written the speaker's name, contact information, and the subject the speaker wishes to address. Speakers may only address an item on the briefing meeting agenda.

E. Public Hearing Public Comment Opportunities

1. When it is necessary for the Board to conduct a public hearing under F.S. Chapter 120, or otherwise, to include but not limited to rule adoption, budget approval, or book challenges, individuals may only address the Board concerning the issue(s) to be addressed during the hearing.
2. If an individual desires to address the Board concerning a matter being considered at a public hearing scheduled during a Board meeting, the individual shall be allowed to address the Board only during the public hearing.

F. Quasi-Judicial Hearings

The Board shall not receive public comment during any quasi-judicial actions including, but not limited to, imposing employee discipline, ruling on formal bid protests, debarment proceedings, charter school terminations, or collective bargaining impasse. Only the parties and their representatives shall be allowed to address the Board as provided in the relevant Board policy or Florida statute. All aspects of student expulsion proceedings shall be closed to the public.

G. Workshops

The Board shall not receive public comment during workshop meetings.

H. Rules Concerning Public Comment

1. Speakers shall be called to address the Board in the order in which each have submitted a Public Comment card.
2. Public comment shall be held at the beginning of the public comment portion of the agenda. Anyone requesting to address the Board must submit a Public Comment card prior public comment commencing.
3. Comments on Agenda Items during Action, Special, and Briefing Meetings: Each speaker shall have one opportunity to address the Board for the specified amount of time. To ensure that the Board has the time necessary to consider the issues, the public comment portion of the meeting shall be limited to one (1) hour. Each individual shall have three (3) minutes to address the Board. If there are more than twenty (20) individuals desiring to speak, the maximum amount of time for each individual is allowed to speak shall be reduced to two (2) minutes. If more than thirty (30) individuals wish to speak, the maximum amount of time each individual is allotted to speak shall be reduced to one (1) minute. No more than sixty (60) individuals will be allowed to address the Board during the public comment portion of the meeting.

4. Only the individual submitting the public comment card is allowed to address the Board with respect to the maximum amount of time allotted. Time may not be "yielded" to other speakers.
5. Inappropriate or irrelevant remarks shall be ruled "out of order" by the Chairperson or Parliamentarian. Any speaker continuing with such remarks shall be required to relinquish the podium.
6. If a speaker is advocating a specific action be taken by the Board which requires the expenditure of funds, the speaker shall reveal any financial interest in the Board taking such action. If the speaker is an employee, owner, or has a financial interest in or is related to an individual who is an employee, owner, or has a financial interest in an entity that provides the product or service being advocated, the speaker must reveal such interest.
7. Rather than all members of groups or factions for or against a proposition addressing the Board at meetings in which a large number of individuals wish to be heard, the Board encourages representatives of such groups or factions to address the proposition in their representative capacity.
8. If multiple members of a group wish to address the Board on the same issue, the Board may request the group to select one (1) or more representatives, to present comment to the Board on behalf of all members concerning the relevant issue for a period of time determined by the chair, based on the number of individuals represented, to a maximum of five (5) minutes per speaker.

#### I. Decorum During Board Meetings

1. Improper conduct at Board meetings, including booing, hissing, clapping, shouting, personal attacks, or cursing, shall not be tolerated; nor shall the School Board tolerate other behavior which the Chairperson, Parliamentarian, or Sergeant at Arms, considers disruptive or improper.
2. Any action or noise that causes or creates an imminent threat of a disturbance or disruption, including but not limited to clapping, applauding, heckling, shouting comments from the audience, or verbal outbursts in support or opposition to a speaker or his/her remarks is prohibited. No signs or placards shall be allowed in the Board meeting. Persons exiting the Board meeting shall do so quietly.
3. Individuals may not solicit or petition other citizens while on District property. Individuals may not distribute flyers or other documents while on District property without prior approval of the Superintendent.
4. The Chairperson or parliamentarian may warn speakers that their comments have gone beyond the subject matter for which they had signed up to address, address matters unrelated to the School District business, or otherwise violate this policy.
5. Speakers are expected to show respect during public comment and understand that Board meetings are for official government business.
6. The Chairperson may recess the meeting if a speaker persists in addressing irrelevant topics or violating any rules within this policy.
7. Following a warning, any person making impertinent or slanderous remarks or engaging in boisterous behavior which the Chairperson or Sergeant at Arms determines or constitutes an actual or an imminent threat of a disturbance or disruption shall be barred from further appearance before the Board for the balance of the meeting.
8. Personal cellular telephone conversations while in the room when the Board meeting is being conducted are not permitted. Such conversations are permitted only during meeting breaks or recess. Ringers must be set to silent mode to avoid disruption of proceedings. Individuals, including those on the dais, must exit the chambers to answer incoming cell phone calls.
9. Whenever a public speaker's comments raise legal issues that may adversely impact the Board or the District, the Board's parliamentarian may provide verbal instruction or guidance to the Board.
10. The time limit on public comment may be extended by a majority vote of the Board. The Board may move where the public comment period is on the agenda or extend the public comment time in a briefing meeting if it is the majority will of the Board.
11. Speakers shall confine their remarks to educationally relevant issues. They shall address the Board through the Chairperson. The comments shall be respectful.
12. If an individual continues to violate rules at Board meetings, the Chairperson may issue a warning that continued violation will result in removal from the meeting. If the individual continues to violate rules after being warned, the Chairperson or Sergeant at Arms may order the individual removed from the meeting.
13. Speakers shall adhere to the rules established by the Board by State statute. It is unlawful and a second-degree misdemeanor to knowingly disrupt or interfere with a Board meeting.
14. The Sergeant at Arms has the authority to remove anyone from the Board meeting as deemed necessary to keep decorum, avoid meeting disruption, and for safety concerns.

15. The Chairperson or the majority of the Board may call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting to warrant such action.

16. Any person who feels that the subject matter has not been adequately covered in the time allotted may present additional information in writing.

17. The Chairperson shall authorize deviations from the above rules if necessary to accommodate reasonably an individual with a disability.

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[F.S. 286.011](#)

[F.S. 286.0114](#)